



DEPARTMENT OF THE NAVY
DIRECTOR INFORMATION TECHNOLOGY CENTER
2251 LAKESHORE DRIVE
NEW ORLEANS, LOUISIANA 70145-0001

Canc: frp May 01

ITCNOTE 5530
ITC20.3
16 May 2000

ITC NOTICE 5530

Subj: GUIDELINES FOR HIRING NON-UNITED STATES CITIZENS

Ref: (a) SECNAVINST 5510.30A
(b) SECNAVINST 5211.5D

1. Purpose. To provide all Information Technology Center (ITC) government personnel and contractors with guidance in regard to non-United States citizens having access to sensitive information required for contract performance per references (a) and (b). The Foreign National Review Board (FNRB) is established to ensure that all contractor personnel assigned to and retained in sensitive positions, in which they could potentially damage national security, are and remain reliable and trustworthy, that there is no reasonable basis for doubting their allegiance to the United States, and that sensitive information is appropriately protected from improper disclosure.
2. Cancellation. NAVRESINFOSYSOFFNOTE 5530 of 23 Dec 99
3. Policy. The FNRB will review, justify the need, and recommend approval or disapproval for non U.S. citizens to access sensitive information in instances where non-United States citizens may possess unique or unusual skill or expertise not available from an United States citizen under government contracts.
4. Scope. These guidelines will apply to all contracts and contractors under the purview of the ITC.
5. Discussion. The board will be comprised of five members; Deputy Director of Business Operations, Command Security Manager, Information Systems Security Managers (2), and the applicable Government Project Manager.
6. Automated Information Systems (AIS) Position Categories. Per reference (a) the following three categories have been established for designating computer and computer related AIS positions:
 - a. Critical-Sensitive Positions or AIS-I positions. Positions in which the incumbent is responsible for the planning, direction, and implementation of a computer security program; major responsibility for the direction, planning, and design of a computer system, including the hardware and software; or, can access a system during the operation or maintenance in such a way, and with a relatively high risk for causing grave damage, or realize a significant personal gain.
 - b. Non critical-Sensitive Positions or AIS-II positions. Positions in which the incumbent is responsible for the direction, planning, design, operation, or maintenance of a computer system, and whose work is technically reviewed by a higher authority of the AIS-I category to insure the integrity of the system.
 - c. Nonsensitive-Positions or AIS-III positions. All other positions involved in computer activities.
7. Procedures

a. Current non-United States citizens

(1) The FNRB will coordinate with the Contracting Officer Representative (COR), and request that he/she appear before the board with the following information for each non-United States citizen currently employed at the ITC:

(a) The individual's name, date, and place of birth, position title, and current citizenship.

(b) A statement that a qualified United States citizen cannot be hired in a sufficient time to meet the contractual requirements.

(c) A statement explaining the unusual expertise possessed by the applicant.

(d) A statement that access will be limited to a specific government contract (specify contract number).

(e) A statement explaining the specific duties that the applicant will be required to perform and the system access needed.

(f) A statement identifying any other government agency that may have jurisdiction over any of the material accessed by the applicant.

(g) A completed Questionnaire for Public Trust Positions (SF 85P). Copies may be obtained from the Command Personnel Security Officer (ITC20.3)

(2) The FNRB will review all documentation provided by the COR (two page limit) and make a recommendation to the Director, ITC regarding allowed access to information required for contract performance.

(3) The Director will return a written decision to the FNRB who will in turn contact the appropriate COR.

b. Future non-United States citizen hires

(1) The COR will provide the FNRB with the following information for each potential non-United States citizen being considered for employment at the ITC and who will have a requirement to access information described in paragraph 6 above, and/or reference (b):

(a) The individual's name, date, and place of birth, position title, current citizenship, and/or Visa copies.

(b) A statement that a qualified United States citizen cannot be hired in a sufficient time to meet the contractual requirements.

(c) A statement explaining the unusual expertise possessed by the applicant.

(d) A statement that access will be limited to a specific government contract (specify contract number).

(e) A statement explaining the specific duties that the applicant will be required to perform and the system access needed.

(f) A statement identifying any other government agency that may have jurisdiction over any of the material accessed by the applicant.

(g) A completed Questionnaire for Public Trust Positions (SF 85P). Copies may be obtained from the Command Personnel Security Officer (ITC 20.3)

(2) The FNRB will review all documentation provided by the COR (two page limit) and forward a written recommendation to the Director, ITC for approval/disapproval of the person's access to information required to accomplish contract performance.

(3) The Director will return a written decision to the FNRB who will in turn contact the appropriate COR.

8. Cancellation Contingency. This notice will remain in effect until incorporated into an ITCNOTE 5530 bearing the same subject.



H. DALE GALLOWAY

Distribution: (NAVRESINFOSYSOFFINST 5216.1)

Lists A, B, and C

ITC CDA Detachment Washington DC

ITC CDA Detachment Memphis, TN

CORS will ensure contractors comply and are in receipt of this notice